

## ORDINANCES PASSED

**ORD. No. 440-70**—To give City consent to The F. & R. Lazarus & Company to occupy a certain section of Chapel Street in the City of Columbus from September 20, 1970 through October 13, 1970.

Whereas, The F. & R. Lazarus Company is planning to hold an Italian Fair from September 28, 1970, through October 10, 1970; and

Whereas, there are plans to have a replica of the famous Trevi fountains in a certain section of Chapel Street, and

Whereas, The F. & R. Lazarus Company has agreed to furnish the City of Columbus with a certificate of insurance extending full general public liability coverage to the City of Columbus; now, therefore,

Be it ordained by the Council of the City of Columbus, Ohio:

Section 1. That the City of Columbus hereby consents to the occupancy by The F. & R. Lazarus Company of a certain section of Chapel Street, said section of Chapel Street being bordered on the east by High Street and on the west by Wall Street.

Sec. 2. That the occupancy of said section of Chapel Street by The F. & R. Lazarus Company will be for the period from September 20, 1970, through October 13, 1970, and will be used for the purposes of the Italian Fair scheduled during that period.

Sec. 3. Provided however, that The F. & R. Lazarus Company shall save the City of Columbus free and harmless from any and all damages by reasons of the granting of this permission, and shall defend at its own cost, every suit in which the City of Columbus may be made a party brought for the recovery of any such damages, and shall pay any judgment recovered against said City by reason thereof; and shall file with the City Clerk a written acceptance of the provisions of this Ordinance, and that the publication costs hereof are waived.

Sec. 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 13, 1970.

**WILLIAM P. HOERMLE,**  
President of Council.

Approved April 13, 1970.

**M. E. SENSENBRENNER,** Mayor.

Attest:  
**HELEN M. VAN HEYDE,** City Clerk.

**ORD. No. 450-70**—To authorize and direct the Director of Public Service to execute a quit claim deed to Bishop Clarence E. Elwell for certain real estate accruing to the City of Columbus by reason of the vacation of the third alley east of Cleveland Avenue and the alley north of Fifth Avenue, between specified limits.

Whereas, the City of Columbus, by Ordinance No. 1313-69, passed October 27, 1969, vacated the third alley east of Cleveland Avenue and the alley north of Fifth Avenue, between specified limits, and

Whereas, by reason of said vacations, one-half of the alleys reverted to the City of Columbus, and

Whereas, the City of Columbus has agreed, in order to clarify the title to one-half of said alleys, as vacated, to quit claim all of its right, title and interest in said alleys to Clarence E. Elwell, Bishop of the Diocese of Columbus, reserving to the City of Columbus the right to operate and maintain any and all sewers, water lines and any other public utilities owned by the City and any other public utilities, if any, now existing or in said alleys vacated, and having the right to enter thereon at any time for the purpose of replacing, operating and maintaining the same; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That the Director of Public Service, on behalf of the City of Columbus, be and he is hereby authorized and directed to execute a quit claim deed to Clarence E. Elwell, Bishop of the Diocese of Columbus, for the following described real estate, reserving however, unto itself the right to operate and maintain any and all sewers, water lines and any other public utilities owned by the City, as well as reserving the right to operate and maintain any other public utilities, if any, now existing on or in said alleys vacated,

and having the right to enter thereon at any time for the purpose of replacing, operating and maintaining the same, said quit claim deed to read as follows:

### QUIT CLAIM DEED

**KNOW ALL MEN BY THESE PRESENTS:** That The City of Columbus, Ohio, a municipal corporation, in the County of Franklin, and the State of Ohio, for a valuable consideration paid, grants to Clarence E. Elwell, Bishop of the Diocese of Columbus, whose tax mailing address is 198 East Broad Street, Columbus, Ohio 43215, the following real property reverting to it by reason of the vacation of the third alley east of Cleveland Avenue and the alley north of Fifth Avenue, between specified limits, reserving unto itself, the grantor, the right to operate and maintain any and all sewers, water lines and any other public utilities owned by the City and any other public utilities, if any, now existing on or in said alleys vacated, and having the right to enter thereon at any time for the purpose of replacing, operating and maintaining the same:

Situated in the County of Franklin, State of Ohio, and in the City of Columbus, and bounded and described as follows:

Being the east half of the third alley east of Cleveland Avenue and adjacent to the west right-of-way line of the North Freeway (I-71), extending from the south line of the alley north of Fifth Avenue to the north line of Fifth Avenue, and extending from the north line of the alley north of Fifth Avenue to the south line of New York Avenue; and

Being the portion of the eastern terminus of the alley north of Fifth Avenue, as reverted to said City of Columbus by reason of the vacation of the alley north of Fifth Avenue, extending from the east line of the third alley east of Cleveland Avenue westwardly to the west line of Lot No. 77 of the East Park Addition extended northwardly.

In witness whereof, the said grantor, The City of Columbus, Ohio, by W. J. Cremean, Director of Public Service of the City of Columbus, Ohio, being duly authorized in the premises by Ordinance No. \_\_\_\_\_, passed \_\_\_\_\_, 1970, has hereunto caused its name to be subscribed this \_\_\_\_\_ day of \_\_\_\_\_, 1970.

**THE CITY OF COLUMBUS, OHIO**

By  
**W. J. CREMEAN,**  
Director of Public Service

Signed and acknowledged in the presence of:

State of Ohio  
Franklin County, ss:

Be it remembered, that on this \_\_\_\_\_ day of \_\_\_\_\_, 1970, before me, the subscriber, a Notary Public in and for said county, personally came the above named The City of Columbus, Ohio, a municipal corporation, by W. J. Cremean, its Director of Public Service, duly authorized by Ordinance No. \_\_\_\_\_, passed by the City Council of said City of Columbus, on the \_\_\_\_\_ day of \_\_\_\_\_, 1970, who acknowledged the signing of the same to be his voluntary act and deed for and as the act and deed of said The City of Columbus, Ohio, for the uses and purposes therein mentioned.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal, on the day and year first aforesaid.

Notary Public

Sec. 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 13, 1970.

**WILLIAM P. HOERMLE,**

President of Council.

Approved April 13, 1970.

**M. E. SENSENBRENNER,** Mayor.

Attest:  
**HELEN M. VAN HEYDE,** City Clerk.

**ORD. No. 452-70**—To vacate all of the first east/west alley north of Second Avenue between Highland Street and Riga Alley. Whereas, the City of Columbus has undertaken the Dennis Avenue Conserva-

tion Area, Ohio R-10 and has in Ordinance No. 478-65, passed April 12, 1965, indicated its intention to vacate certain streets, alleys and easements together with certain other public ways within the area as a necessary part of the project; and

Whereas, City Council, upon hearing, is satisfied that there is good cause for such vacation as requested, that they will not be detrimental to the general interests and ought to be made; now, therefore,

Be it ordained by the Council of the City of Columbus, Ohio:

Section 1. That all of the first east-west alley north of Second Avenue between the easterly line of Highland Street and the westerly line of Riga Alley, a distance of approximately 50 feet is hereby vacated;

Reserving any and all existing easements on the full width of the alley right-of-way hereby vacated for the use of water, sewer and underground utilities now in use.

Sec. 2. That the relocation or abandonment of all conduits, cables, wires, towers, poles, sewer lines, steam lines, pipe lines, gas and water lines, tracks or other equipment or appliances of any railroad or public utility, whether owned privately or by any governmental authority, located on, over or under the said vacated alleys, except those located within the easements reserved in Section 1 hereof, is required by the City of Columbus for urban renewal purposes and all such facilities shall be relocated or abandoned and no said affected railroad or public utility shall have an easement of any nature whatsoever in such vacated alley except as reserved in Section 1 of this ordinance.

Sec. 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed April 13, 1970.

**WILLIAM P. HOERMLE,**

President of Council.

Approved April 13, 1970.

**M. E. SENSENBRENNER,** Mayor.

Attest:  
**HELEN M. VAN HEYDE,** City Clerk.

**ORD. No. 464-70**—To authorize and direct the Board of Purchase to purchase, for the Division of Municipal Zoo, on the open market, without advertising for bids, one (1) one and half ton Chassis with Ten Yard Refuse Packer Body; to appropriate \$8300.00 and to declare an emergency. (\$8300.00)

Whereas, an emergency exists in the usual daily operation of the Division of Municipal Zoo, Department of Public Service, in that it is immediately necessary for the Board of Purchase to purchase on the open market, without advertising for bids, one (1) One and Half Ton Chassis with ten yard refuse Packer Body in order to provide sufficient refuse service for the coming season for the immediate preservation of the public health, peace, property and safety; now, therefore

Be it ordained by the Council of the City of Columbus:

Section 1. That the Board of Purchase be and it is hereby authorized and directed to purchase on the open market, without advertising for bids, one (1) One and Half-Ton Chassis with Ten (10) Yard Refuse Packer Body for the Division of Municipal Zoo, Department of Public Service.

Sec. 2. That the sum of \$8300.00 or as much thereof as may be needed be and the same is hereby appropriated from Motorized Equipment Fund No. 6010, Code 460 to pay the cost thereof.

Sec. 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor.

Passed April 13, 1970.

**WILLIAM P. HOERMLE,**

President of Council.

Approved April 13, 1970.

**M. E. SENSENBRENNER,** Mayor.

Attest:  
**HELEN M. VAN HEYDE,** City Clerk.